

IN THE SENATE OF THE UNITED STATES.

FEBRUARY 18, 1893.—Ordered to be printed.

Mr. MITCHELL, from the Committee on Claims, submitted the following

REPORT:

[To accompany S. 728.]

The Committee on Claims, to whom was referred the bill (S. 728) for the relief of William A. Starkweather, of Oregon, having had the same under consideration, beg leave to submit the following report:

It appears from the testimony in the case that the claimant, William A. Starkweather, was register of the United States land office at Oregon City, State of Oregon, from the spring of 1861 to 1865, a period of four years; that during this period, owing to the extraordinary mass of business then accumulated in that office, growing mainly out of applications for patents under what is known as the "Oregon donation law," it became absolutely necessary to employ additional clerical force; and that during this period Mr. Starkweather employed as a clerk in his office, paying him out of his own funds, one Owen Wade; that such employment and service covered the following periods:

From December 31, 1861, to April 27, 1862, four months less ten days; again from December 1, 1862, to April 1, 1863, four months less ten days; and again from December 1, 1863, to June 1, 1865, sixteen and one-half months—in all twenty-four months and five days; and that he paid the said Wade for such services out of his own private funds at the rate of \$70 per month, amounting in all in coin to the sum of \$1,691.66. That the same was paid in the following manner: Of this amount, the sum of \$256.66 was paid in United States gold coin, that being his compensation at the rate of \$70 per month for the first three and two-thirds months of said time, and the balance of \$1,435, coin rates, was paid in legal-tender currency at the rate such currency then sold for gold, and which at the time of payments was of the average gold value of much less than 75 cents on the dollar, but at this average rate amounted to the sum of \$1,913.33, making a total in cash thus paid out for and on account of such services of \$2,170.

It further clearly appears that the transaction of the current business of the office at that time growing out of the great number of applications for patent under the act of Congress aforesaid and the administration of other land laws, rendered the employment of a clerk absolutely necessary, and it appears from the evidence of Mr. Wade himself, filed among the papers in the case, that he rendered faithful and valuable services and received his pay as aforesaid. Mr. Wade's statement upon this point is as follows:

During the more than two years that I was employed in the register's office, I was paid \$70 per month, including my board, on a gold basis. The position was no sinecure. I worked faithfully ten to fourteen hours daily. I think his claim an eminently just one and very moderate, in view of the services rendered and the lapse of time.

Your committee, therefore, report the bill (S. 728) back, with the following amendments, and recommend its passage:

In line 5, after the word "thousand," strike out the words "six hundred and forty-eight dollars and thirty-three cents" and insert in lieu thereof the words "one hundred and seventy dollars."

Also, amend by making the comma, after the word "office," in line 9, a period, and striking out all after said word.

